THE HON'BLE MR JUSTICE P.S.NARAYANA

WRIT PETITION No.18352 of 2006

Date 27-10-2006

Between:
V.L.N.Murthy.

..... PETITIONER

AND

The Malkajgiri Municipality rep. by its Commissioner, Malkajgiri, R.R.District.

.....RESPONDENT

THE HON'BLE MR JUSTICE P.S.NARAYANA

WRIT PETITION No.18352 of 2006

ORDER:

This writ petition is filed seeking a Writ of Mandamus declaring the action of the respondent to demolish the existing structure and acquire the land of premises No.30-1554, Ananthanagar Colony, Neredmet, Malkajgiri, without following the mandatory provisions under Sections 172(2) and 174 of the A.P. Municipalities Act and Section 18 of the Urban Area Development Act, and without following the guide lines laid down by this Court as illegal, arbitrary and in violation of Article 300(A) of the Constitution of India and the provisions of Land Acquisition Act and the A.P. Municipalities Act.

2. Several factual details are narrated and the main grievance of the petitioner is that without following due process of law as per the A.P. Municipalities Act and despite the directions of this Court and the guide lines laid down by this Court, the respondent-Municipality is trying to proceed with the demolition activity relating to the subject matter of the writ petition.

3. In the light of the same, this Court is of the considered opinion that the writ petition be disposed of directing the respondent-Municipality not to resort to the demolition activity relating to the subject matter of the writ petition unless and until the respondent follows due process of law. No costs.

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27-10-2006

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